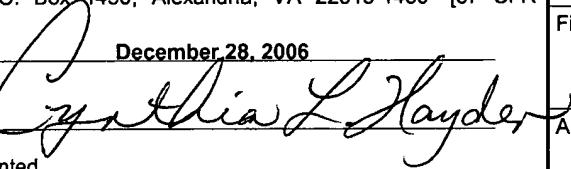




Doc Code: AP.PRE.REQ

PTO/SB/33 (07/05)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) ITL.1023US (P16710)
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.14] on <u>December 28, 2006</u>		Application Number 10/679,816
Signature 		Filed October 6, 2003
Typed or printed name <u>Cynthia L. Hayden</u>		First Named Inventor Robert Bristol
		Art Unit 1756
		Examiner Kathleen Duda
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.		
This request is being filed with a notice of appeal.		
The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.		
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>28,994</u> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____		
 Signature Timothy N. Trop Typed or printed name (713) 468-8880 Telephone number December 28, 2006 Date		
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.		
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.		

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Robert Bristol et al.	§	Art Unit:	1756	
Serial No.:	10/679,816	§	Examiner:	Kathleen Duda
Filed:	October 6, 2003	§	Atty Docket:	ITL.1023US P16710
For:	Enhancing Photoresist Performance Using Electric Fields	§	Assignee:	Intel Corporation

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT IN SUPPORT OF
PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

Pre-appeal review is sought, in parallel with a petition, to attempt to obtain complete review of all of the pending claims. It is respectfully submitted that no office action to date has addressed all of the dependent claims and, as set forth below, there is reason to believe that at least some of the dependent claims are not shown in any of the art. In the absence of any analysis in the office action, it is very difficult to know how to proceed.

Claim 13 is still not addressed. With respect to claim 14, it is suggested for the first time on final rejection that spinning on a layer is well known in the art. But nothing in any reference to date has shown such a thing. Therefore, a *prima facie* rejection is not made out and, to the extent assertions of commonly known are made, they were challenged (in the response to final rejection) because it is not believed that spinning on a conductive layer over a photoresist is commonly done.

Date of Deposit: December 28, 2006
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Cynthia L. Hayden
Cynthia L. Hayden

No office action to date has addressed claim 15. No reason is provided for the rejection and, therefore, a reason for patentability cannot be provided.

Claim 16 calls for treating a photoresist with an electric field generated by passing of alternating current through a coil. For the first time, in final rejection, it is suggested that claim 23 of the claimed application teaches passing alternating current. But he does not teach passing alternating current through a coil. Therefore, there is no basis for the rejection.

The rejection of claims 17-19 is not provided and, therefore, no further response can be provided. Since there is no basis for the rejection, the rejection is inappropriate.

Claim 20 calls for exposing photoresist to radiation and while doing so exposing said photoresist to an electric field. The cited reference merely teaches exposing photoresist to an electric field, but there is no discussion of exposing it to an electric field while exposing it to radiation. Therefore, there is no basis for the rejection of claim 20.

Claims 21-24 are not addressed and, therefore, should be in condition for allowance since no rejection has been posed or at least no explanation of any rejection has been posed.

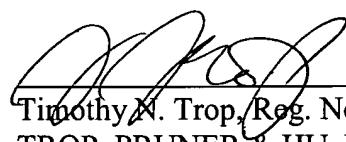
Claim 25 calls for applying an electric field while baking a photoresist. Claim 25 was rejected based on the U.S. patent application to Nishi. Specifically, it is suggested that this is taught in claim 26 of Nishi. However, no attempt to address pending claims 26-29, dependent thereon is made, with the exception of claim 29. It is apparently suggested that because claim 26 of the cited Nishi application teaches light exposure he teaches every type of light, including extreme UV. The general cannot teach the specific and, therefore, there is no basis for the rejection of claim 29.

Claim 30 calls for exposing a photoresist to an electric field while developing an irradiated photoresist. It is suggested that this is taught in paragraph 45 of Templeton. However, no attempt to address claims 31-33 is set forth. The suggestion that something is a design choice is insufficient to make out a rejection of the claim. Everything is a design choice and, therefore, the pertinency of this observation is obscure.

In view of the failure to set forth objections to all of the claims and in view of the deficiencies of objections of those claims, the final rejection should be withdrawn.

Respectfully submitted,

Date: December 28, 2006



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